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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/440,639	11/16/1999	JONG-HEE HAN.	Q56734	3207

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EXAMINER
ONUAKU, CHRISTOPHER O

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 12/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/440,639	Applicant(s) Han
	Examiner Christopher O. Onuaku	Art Unit 2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-5 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-5 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☒ The proposed drawing correction filed on Jan 21, 2000 is: a) ☒ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the internation application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,2&4 are rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (US 6,408,128).

Regarding claim 1, Abecassis discloses systems for, and methods of, processing, random accessing, buffering, and playing a video utilizing the information provided by a video map, where the source of the video and video map are, for example, a DVD, a DBS, and/or video-on-demand transmissions, and where the means for playing the video comprises, for example, a DVD player, a personal computer, a set box, and/or a multimedia player, comprising a decoder for decoding the program rating data to generate decoded program rating data, a controller for generating a first control signal for blocking a video/audio signal if a viewable program rating set by a user is lower than the rating of the decoded program rating data, and for generating a second control signal if signal indicating a new program is detected, and a tape speed controller for executing a

high-speed search mode when the controller generates the first control signal and for executing the general playback mode when the controller generates the second control signal (see col.33, lines 35-67).

Here Abecassis discloses playing viewer-selected program which includes viewer preferred, selected rating codes; when the viewer requests for this viewer-selected program to be played, the codes of the played program must match the viewer-selected rating codes, and any portions of the program with unacceptable, unselected rating codes are skipped.

Examiner reads the claimed decoder as the means to determine during reproduction the correct viewer-selected rating codes within a program selected by the viewer; the examiner reads "... first control signal for blocking a video/audio signal if a viewable program rating set by a user is lower than the rating of the decoded program rating data... " as the signal indicating the skipping of portions of a program which contain video/audio information with unacceptable, unselected rating codes, and "... generating a second control signal if signal indicating a new program is detected... " as the signal indicating the playing of portions of a program which contain video/audio information with acceptable, selected rating codes; and the high-speed search mode as the skipping mode; and the new program as the program that contains the portions of a program which contain video/audio information with acceptable, selected rating codes; and the general playback mode as the play mode when playing the portions of a program which contain video/audio information with acceptable, selected rating codes.

Regarding claim 2, the claimed limitations of claim 2 are accommodated in the discussions of claim 1 above.

Regarding claim 4, the claimed limitation a data slicer extracts only the program rating data from the video signal in a general playback mode and outputting the program rating code to the decoder is accommodated in the decoding function of the playback of viewer-selected program containing viewer selected rating codes as discussed in claim 1 above, since the rating codes contained within the viewer-selected program containing viewer selected rating codes must be extracted from the program before the decoder decodes the rating data to determine the ratings of the reproduced program, in order to determine a match or no match.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3&5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Yuen et al US 6,091,884) and further in view of Choi (US 5,519,549).

Abecassis fails to disclose wherein determining in step (d) whether the new recorded program has been reached is made by a determination of whether a video index search system

(VISS) signal is detected, made using the duty cycle of a controller. (Yuen et al means and method for facilitating management, storage, and retrieval of programs on a cassette of magnetic tape, comprising VISS marks which are used to mark the beginning and end of a program in a control track of a tape (see col.6, lines 38-48). In addition, Abecassis and Yuen fail to disclose wherein the detection of the VISS signal is made by using the duty cycle of a controller. Choi (US 5,519,549) teaches wherein when searching for recorded portion, the index information is picked up by detecting the duty cycle variation (see col.1, lines 39-47).

It would have been obvious to modify Abecassis by realizing Abecassis with a VISS system, as taught by Yuen, in order to facilitate the marking of the beginning and end of recorded signal. In addition, it would have been obvious to further modify Yuen by detecting the VISS mark signal by detecting the duty cycle variation of the VISS signal, as taught by Choi.

Regarding claim 5, the claimed limitations of claim 5 are accommodated in the discussions of claim 3 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim (US 5,585,932) teaches circuitry for providing a VISS in an 8 mm format video cassette recorder by varying the amplitude of at least one of the frequencies used during recording and playback of an 8 mm magnetic tape.

6. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew Christensen, can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service whose telephone number is (703) 306-0377.

COO

11/17/02

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600